

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLARD L. SLOAN, EUGENE J.
WINNINGHAM, JAMES L. KELLEY,
on behalf of themselves and a similarly
situated class,

Plaintiffs,

v.

BORGWARNER, INC., BORGWARNER
FLEXIBLE BENEFITS PLANS and
BORGWARNER DIVERSIFIED
TRANSMISSION PRODUCTS, INC.,

Defendants.

Case No. 09-cv-10918

Paul D. Borman
United States District Judge

Mona K. Majzoub
United States Magistrate Judge

**ORDER SETTING STATUS CONFERENCE FOR MARCH 18, 2015 AT 3:30 P.M. AND
REQUIRING PARTIES TO SUBMIT A BRIEF SUMMARY OF POSITIONS
ON OR BEFORE MARCH 4, 2015**

On June 20, 2014, this Court entered a Stipulated Order staying this case pending resolution by the United States Supreme Court of *M&G Polymers USA, LLC v. Tackett*. (ECF No. 134.) On January 26, 2015, the Supreme Court issued its opinion in *M&G Polymers USA, LLC v. Tackett*, 135 S.Ct. 926 (2015). On January 29, 2015, Defendants filed a "Notice Regarding *Tackett*," requesting the Court to convene a status conference to discuss lifting the stay in this case and proceeding with reconsideration of the Court's summary judgment ruling in light of the Supreme Court's decision in *Tackett*.

The Court sets a status conference for March 18, 2015 at 3:30 p.m. The Court requests that the parties submit to the Court, on or before March 4, 2015, brief statements (up to 5 pages each)

summarizing (1) their view of the impact that *Tackett* may have on this Court's prior summary judgment ruling and (2) how they anticipate proceeding in this matter in light of the *Tackett* decision.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'Paul D. Borman', written over a horizontal line.

Paul D. Borman
United States District Judge

Dated: FEB 17 2015